

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff,

and

KATHY C. KOCH,

Plaintiff Intervenor,

v.

LA WEIGHT LOSS CENTERS, INC.,

Defendant.

Case No. WDQ-02-CV-648

**OBJECTIONS TO MAGISTRATE JUDGE'S RECOMMENDATION
OF JUNE 24, 2004, ON PLAINTIFF INTERVENOR
KATHY KOCH'S MOTION FOR SANCTIONS**

Pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, defendant LA Weight Loss Centers, Inc. ("LAWL") hereby objects to the Recommendation by [deleted "the"] Magistrate Judge Paul W. Grimm, ruling on Plaintiff Intervenor Kathy Koch's Motion Sanctions. Specifically, LAWL objects to the Recommendation to the extent it recommends this Court give the jury an adverse inference instruction concerning LAWL's purported spoliation of certain documents. The grounds for these objections are set forth in the accompanying Memorandum of Law, which is incorporated herein by reference.

LA Weight Loss further requests that, pursuant to Local Rule of Civil Procedure 105.6 oral argument and/or a hearing be held on these Objections.

Respectfully submitted,



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LA Weight Loss Centers, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Defendant LA Weight Loss Center Inc.'s Objections to Magistrate Judge's Recommendation of June 24, 2004, On Plaintiff Intervenor Kathy Koch's Motion for Sanctions and supporting Memorandum of Law to be filed and served electronically on this day, the 19th day of July 2004. I further certify that a copy of each of the foregoing documents, along with complete appendix, shall be served by first-class mail, postage pre-paid, upon Intervenor/Plaintiff, through her counsel, as follows:

Pamela J. White, Esquire
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and upon Plaintiff via first-class mail, postage pre-paid as follows:

Ronald L. Phillips, Esquire
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10 South Howard Street, 3rd Floor
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Attorneys for Plaintiff

/s/
David Gollin

Dated: July 19, 2004